

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MARY K. BOLEY, KANDIE SUTTER
and PHYLLIS JOHNSON, Individually
and as representatives of a class of
similarly situated persons, on behalf of the
UNIVERSAL HEALTH SERVICES, INC.
RETIREMENT SAVINGS PLAN,

Plaintiffs,

v.

UNIVERSAL HEALTH SERVICES, INC.; THE
UHS RETIREMENT PLANS INVESTMENT
COMMITTEE; and DOES No. 1-10, Whose
Names Are Currently Unknown,

Defendants.

Case No: 2:20-cv-02644-MAK

**JOINT STATUS REPORT AND MOTION TO
STAY ACTION AND SUSPEND ALL DEADLINES**

Plaintiffs, Mary K. Boley, Kandie Sutter, and Phyllis Johnson (collectively, “Plaintiffs”), and Defendants, Universal Health Services, Inc. and the Universal Health Services, Inc. Retirement Plans Investment Committee (collectively, “Defendants,” and, together with Plaintiffs, the “Parties”), respectfully submit this Joint Status Report and Motion to Stay Action and Suspend All Deadlines, to update the Court on the progress of the Parties’ discussions concerning the potential resolution of this action.

The Parties are pleased to report that, following mediation with a neutral, well-respected mediator, the Parties have agreed in principle to resolve the litigation. The Parties are working to memorialize their agreement and prepare the appropriate papers to submit to the Court for preliminary approval under Federal Rule of Civil Procedure 23. The Parties propose that

Plaintiffs file a motion for preliminary approval of the settlement and all necessary and appropriate supporting papers by October 24, 2022.

In light of the settlement agreement, the Parties request that all hearings and deadlines currently on the Court's calendar be vacated. A proposed Order accompanies this Status Report and Joint Motion.

Dated: September 28, 2022

Respectfully submitted,

/s/Alec J. Berin

James C. Shah

Alec J. Berin

MILLER SHAH LLP

1845 Walnut Street, Suite 806

Philadelphia, PA 19103

Telephone: (866) 540-5505

Facsimile: (866) 300-7367

Email: jcshah@millershah.com

ajberin@millershah.com

James E. Miller

Laurie Rubinow

MILLER SHAH LLP

65 Main Street

Chester, CT 06412

Telephone: (866) 540-5505

Facsimile: (866) 300-7367

Email: jemiller@millershah.com

lrubinow@millershah.com

Kolin C. Tang (*pro hac vice*)

MILLER SHAH LLP

3 Embarcadero Center, Suite 1650

San Francisco, CA 94111

Telephone: (866) 540-5505

Facsimile: (866) 300-7367

Email: jcshah@millershah.com

kctang@millershah.com

Mark K. Gyandoh
Gabrielle Kelerchian
CAPOZZI ADLER, P.C.
312 Old Lancaster Road
Merion Station, PA 19066
Telephone: (610) 890-0200
Facsimile: (717) 233-4103
Email: markg@capozziadler.com
gabriellek@capozziadler.com

Donald R. Reavey
CAPOZZI ADLER, P.C.
2933 North Front Street
Harrisburg, PA 17110
Telephone: (717) 233-4101
Facsimile: (717) 233-4103
Email: donr@capozziadler.com

*Attorneys for Plaintiffs, the Plan,
and the Class*

Dated: September 28, 2022

Respectfully submitted,

/s/ Brian T. Ortelere
Brian T. Ortelere
Attorney ID No. 46464 (PA)
MORGAN, LEWIS & BOCKIUS LLP
1701 Market Street
Philadelphia, PA 19103
Telephone: (215) 963-5000
Facsimile: (215) 963-5001
Email: brian.ortelere@morganlewis.com

Deborah S. Davidson (*pro hac vice*)
Attorney ID No. 6255813 (IL)
MORGAN, LEWIS & BOCKIUS LLP
110 N. Wacker Drive, Suite 2800
Chicago, IL 60606
Telephone: (312) 324-1000
Facsimile: (312) 324-1001
Email: deborah.davidson@morganlewis.com

Stephen K. Dixon (*pro hac vice*)
Attorney ID No. 87462 (VA)
Mathew J. McKenna (*pro hac vice*)
Attorney ID No. 1735898 (DC)
MORGAN, LEWIS & BOCKIUS LLP
111 Pennsylvania Avenue, NW
Washington, DC 20004
Telephone: (202) 739-3000
Facsimile: (202) 739-3001
Email: stephen.dixon@morganlewis.com
mathew.mckenna@morganlewis.com

Sean K. McMahan (*pro hac vice*)
Attorney ID No. 140861 (GA)
1717 Main Street, Suite 3200
Dallas, TX 75201
Telephone: (214) 466-4000
Facsimile: (214) 466-4001
Email: sean.mcmachan@morganlewis.com

Counsel for Defendants